

# *2003 Summary of State Legislation*

*2003–04 Regular Session (Biennial Session)  
California State Legislature*

*January 2004*



*Zero Waste—You Make It Happen!*

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# Preface

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This Legislative Summary identifies solid waste management legislation introduced at the State level during 2003. State bills from the first year of the California Legislature's 2003 Regular and Extraordinary Sessions can be located under subject categories (see table of contents) or by bill number, using the index at the end of the summary.

The summary includes State bills that were enacted, as well as those that were vetoed, bills that failed passage in the Legislature, or those held in committee. The summaries of vetoed bills include excerpts from the Governor's veto message. Urgency measures, which become effective immediately upon chaptering by the Secretary of State, are marked with an asterisk (\*). The effective date for urgency measures is noted at the end of the entry. All other enacted legislation takes effect on January 1 following the year the legislation was chaptered into law. (For example, bills chaptered in 2003 take effect on January 1, 2004.)

Information regarding legislation, both State and federal, is widely available on the Internet. The following sites provide up-to-date information, including status, history, and other valuable information on legislation and the legislative process.

Official California legislative information is provided by the Legislative Counsel. You may subscribe to bills from this site to keep informed of amendments: [www.leginfo.ca.gov/](http://www.leginfo.ca.gov/).

The official Internet site of the California State Assembly is: [www.assembly.ca.gov/](http://www.assembly.ca.gov/).

The official Internet site of the California State Senate is: [www.senate.ca.gov/](http://www.senate.ca.gov/).

Federal legislation information sponsored by the Library of Congress: <http://thomas.loc.gov/>.

# Abbreviations

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**AB:** Assembly Bill (State)

**ACR:** Assembly Concurrence Resolution

**Act:** Integrated Waste Management Act

**AIIM:** Association for Information and Image Management

**AJR:** Assembly Joint Resolution

**ANSI:** American National Standards Institute

**APA:** Administrative Procedures Act

**ARB:** Air Resources Board

**Authority:** California Pollution Control Financing Authority

**BARCT:** Best Available Retrofit Control Technology

**BCRF:** Beverage Container Recycling Fund

**BDO:** Boards, Departments, and Offices

**BOE:** Board of Equalization

**Cal/EPA:** California Environmental Protection Agency

**CALP:** Capital Access Loan Program

**Caltrans:** California Department of Transportation

**CBCRLRA:** California Beverage Container Recycling and Litter Reduction Act (“Bottle Bill”)

**CCC:** California Conservation Corps

**CDF:** California Department of Forestry and Fire Protection

**CDFA:** California Department of Food and Agriculture

**CEC:** California Energy Commission

**CEQA:** California Environmental Quality Act

**CESQG:** Conditionally Exempt Small Quantity Generator

**CFC:** Chlorofluorocarbons

**CHP:** California Highway Patrol

**CIWMB:** California Integrated Waste Management Board

**CORE:** California Oil Recycling Enhancement Act

**CUP:** Conditional Use Permit

**DBW:** Department of Boating and Waterways

**DFA:** Department of Food and Agriculture

**DFG:** Department of Fish and Game

**DGS:** Department of General Services

**DHS:** Department of Health Services

**DOC:** Department of Conservation

**DOF:** Department of Finance

**DOIT:** Department of Information Technology

**DOR:** Division of Recycling (Department of Conservation)

**DPR:** Department of Pesticide Regulation

**DTSC:** Department of Toxic Substances Control

**EA:** Enforcement Agency

**EDD:** Employment Development Department

**EIR:** Environmental Impact Report

**FDA:** Food and Drug Administration (Federal)

**FTC:** Federal Trade Commission

**FY:** Fiscal Year

**GIGF:** Geographic Information Grant Fund

**GISP:** Geographic Information Systems Panel

**GRP:** Governor's Reorganization Plan

**HDPE:** High-Density Polyethylene

**HHW:** Household Hazardous Waste

**HHWE:** Household Hazardous Waste Element

**HR:** House of Representatives Bill (federal)

**HWCA:** Hazardous Waste Control Account

**ISTEA:** Intermodal Surface Transportation Efficiency Act of 1991 (federal)

**IWM:** Integrated Waste Management

**IWMA:** Integrated Waste Management Act

**IWMF:** Integrated Waste Management Fund

**IWMP:** Integrated Waste Management Plan

**JPA:** Joint Powers Agreement

**LEA:** Local Enforcement Agency

**MEIR:** Master Environmental Impact Report

**MOU:** Memorandum of Understanding

**MRF:** Materials Recovery Facility

**MSW:** Municipal Solid Waste

**NDFE:** Nondisposal Facility Element

**NER:** New Employee Registry

**OAL:** Office of Administrative Law

**OctaBDE:** Octabrominated Diphenyl Ether

**OEE:** Office of Education and the Environment

**OEHA:** Office of Environmental Health Hazard Assessment

**OES:** Office of Emergency Services

**OIP:** Office of Information Practices

**OIT:** Office of Information Technology

**OPA:** Office of Permit Assistance

**OPR:** Office of Planning and Research

**PentaBDE:** Pentabrominated Diphenyl Ether

**PETE:** Polyethylene Terephthalate

**PUC:** Public Utilities Commission

**RCRA:** Resource Conservation and Recovery Act of 1976 (federal)

**RMDZ:** Recycling Market Development Zone

**RPPC:** Rigid Plastic Packaging Container

**RPPCM:** Recycled Plastic Postconsumer Material

**RWQCB:** Regional Water Quality Control Boards

**SB:** Senate Bill (State)

**SDE:** State Department of Education

**SRCSWA:** Sacramento Regional County Solid Waste Authority

**SRRE:** Source Reduction and Recycling Element



**STAR:** State Assistance for Recycling Markets Act of 1989

**SWAT:** Solid Waste Assessment Test

**SWDSCMA:** Solid Waste Disposal Site Cleanup Maintenance Account

**SWDSCTF:** Solid Waste Disposal Site Cleanup Trust Fund

**SWF:** Solid Waste Facility

**SWFP:** Solid Waste Facilities Permit

**SWRCB:** State Water Resources Control Board

**TTCA:** Technology, Trade and Commerce Agency

**USEPA:** United States Environmental Protection Agency

**WMIA:** Waste Management Incentive Account

## ***California Environmental Protection Agency***

### **AB 1360 (Steinberg)**

#### **Environmental Quality: Environmental Indicators**

**Sponsor: Cal/EPA**

#### ***Chapter 664, Statutes of 2003***

This bill requires OEHHA, on behalf of the Cal/EPA beginning July 1, 2004, to develop and maintain a system of environmental indicators. The bill requires the Secretary for Environmental Protection to periodically assess the ability of the environmental indicators system to meet the objectives of the system. AB 1360 requires the system to support the development and implementation of the agencywide environmental justice strategy. The system will provide information on the state of the environment in California and guide program planning within Cal/EPA. AB 1360 states the Legislature's intent that the Secretaries for Environmental Protection and Resources and the Director of the Department of Health Services use the system in the development of budget change proposals for future fiscal years where applicable. The bill requires the budget change proposals to indicate how the proposals affect environmental indicators. AB 1360 also creates an external working group to advise and develop recommendations for OEHHA with respect to the system.

### **AB 1548 (Pavley)**

#### **Office of Education and the Environment**

**Sponsor: Heal the Bay**

#### ***Chapter 665, Statutes of 2003***

This bill changes the name of the Office of Integrated Environmental Education at the IWMB to the Office of Education and the Environment, and requires that the OEE report to both the Secretary of the Cal/EPA and the IWMB when dealing with multi-media educational concepts. This bill would require the OEE to work with other State agencies and the SDE to develop environmental principles, model environmental education curriculum, and other materials that would be considered by State education agencies as part of their regular review and approval cycles. AB 1548 also requires that the OEE work with the CalEPA boards, departments, and offices to ensure that all educational materials produced—including those produced as the result of regulatory actions—are consistent with approved educational standards. The content and concept for this bill was originally included in AB 907 (Pavley).

## ***California Environmental Quality Act***

### **SB 18 (Burton)**

#### **Traditional Tribal Cultural Sites**

**Sponsor: Author**

#### ***Assembly Reconsideration***

This bill would create the procedure in the CEQA for the Native American Heritage Commission (NAHC), in consultation with Native American tribes and other interested parties, to determine whether a proposed project may adversely change a traditional tribal cultural site and to recommend project changes and mitigation measures to avoid or reduce those changes. This bill would revise the duties and composition of the NAHC, create procedures of NAHC and Native American tribes to participate in local land use planning, and allow Native American tribes to take title to conservation easements.

### **SB 532 (Romero)**

#### **Environmental Quality: Cumulative Effects**

**Sponsor: Author**

#### ***Senate Appropriations Suspense File***

This bill would define "cumulative effects" and would require an environmental impact report (EIR) to include a detailed statement of significant cumulative effects. The bill would also require an EIR to determine whether or not there is a reasonable possibility that the project, or the cumulative effects of the project, would result in, or contribute to, a significant risk to public health from exposure to one or more hazardous or toxic substances or materials. If a reasonable possibility does exist, the bill would require a risk assessment to be performed on the project and the cumulative effects of the project to ascertain the risk to human health.

## ***Construction and Demolition Waste***

### **AB 240 (Reyes)**

#### **Large Solid Waste Facilities: Regulation: Enforcement**

**Sponsor: Author**

#### ***Assembly Natural Resources Committee***

This bill would define "construction and demolition processing facility" as "a SWF that processes waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings, and other structures." This bill would prohibit the IWMB from adopting any regulation that exempts a construction and demolition facility from any of the requirements for solid waste

facilities, including any regulations based on the number of tons of solid waste per day accepted by the facility. AB 240 would specify that the owner or operator of a facility would be liable for all costs associated with permit violations or any "catastrophic emergency" caused by facility operations.

## **SB 202 (Romero)**

### **Wood Waste: Preservatives**

**Sponsor: Communication Workers of America**

#### ***Senate Environmental Quality Committee***

This bill would repeal the exemption for wood waste and instead would prohibit any person, on and after January 1, 2005, from using chromated copper arsenate (CCA) or pentachlorophenol (penta) to treat wood products or manufacturing a wood product treated with those substances. The bill would provide, on and after January 1, 2005, that wood waste containing any measurable level of CCA or penta is a hazardous waste for purposes of the hazardous waste control laws. The bill would require any person disposing of such wood waste to dispose of that waste pursuant to the hazardous waste control laws.

## ***Education/Schools***

### **AB 736 (Hancock)**

#### **School Facilities**

**Sponsor: Natural Resources Defense Council**

#### ***Senate Appropriations Committee—Held Under Submission***

This bill would state legislative findings and declarations relating to the importance of high performance schools. This bill would encourage school districts to build "greener" facilities because high performance facilities have been proven to reduce operating costs, increase student test scores, and minimize environmental impacts.

### **AB 907 (Pavley)**

#### **Environmental Education: Content Standards**

**Sponsor: Heal the Bay**

#### ***Assembly Appropriations Committee***

This bill would have required the State Board of Education to incorporate environmental concepts into the educational standards for language arts, history/social science, and science. This bill would have ensured that environmental education is incorporated into

statewide content and performance standards. This bill died in the Assembly Appropriations Committee, but the content was re-introduced in AB 1548.

### **AB 1330 (Simitian)**

#### **Outdoor Environmental Education Program**

**Sponsor: Author**

#### ***Chapter 663, Statutes of 2003***

This bill establishes the Outdoor Environmental Education Program, primarily for at-risk youth and underserved demographic groups.

### **AB 1548 (Pavley)**

#### **Office of Education and the Environment**

**Sponsor: Heal the Bay**

#### ***Chapter 665, Statutes of 2003***

This bill changes the name of the Office of Integrated Environmental Education at the IWMB to the Office of Education and the Environment, and requires that the OEE report to both the Secretary of Cal/EPA and the IWMB when dealing with multi-media educational concepts. This bill would require the OEE to work with other State agencies and the SDE to develop environmental principles, model environmental education curriculum, and other materials that would be considered by State education agencies as part of their regular review and approval cycles. AB 1548 also requires that the OEE work with the CalEPA boards, departments, and offices to ensure that all educational materials produced—including those produced as the result of regulatory actions—are consistent with approved educational standards. The content and concept for this bill was originally included in AB 907(Pavley).

### **SB 352 (Escutia)**

#### **School Sites: Sources of Pollution**

**Sponsor: Author**

#### ***Chapter 668, Statutes 2003***

This bill prohibits the governing board of a school district from approving a school site that is within 500 feet from the edge of the closest traffic lane of a freeway or other busy traffic corridor, unless prescribed conditions are met, and makes conforming and other technical, nonsubstantive changes.

## ***Electronic Waste***

**SB 20 (Sher)**

**Solid Waste: Hazardous Electronic Waste**

**Sponsor: Author**

***Chapter 526, Statutes of 2003***

This bill enacts the Electronic Waste Recycling Act of 2003 to provide for the convenient recycling of covered electronic devices in California. This bill requires every retailer that sells a device covered by the bill to collect from consumers a Covered Electronic Waste Recycling Fee on each CRT device. This fee would be used to implement the program, including providing payments to recyclers and collectors of covered products, and providing oversight and enforcement activities to ensure these wastes are managed correctly to protect public health and safety and the environment.

## ***Energy***

**AB 1317 (Parra)**

**Environmental Protection**

**Sponsor: Author**

***Senate Environmental Quality Committee***

This bill would extend the Agricultural Biomass to Energy Incentive Grant Program, which allows local air districts to apply to the TTCA for grants to provide incentives to facilities to burn agricultural biomass to produce energy. This bill would remove the sunset on the Agricultural Biomass-to-Energy Incentive Grant Program and add a new sunset of January 1, 2009.

**AB 1672 (Cogdill)**

**Renewable Energy: Biomass**

**Sponsor: Author**

***Assembly Natural Resources Committee***

This bill would provide that a person with a valid permit for agricultural burning qualifies for emission reduction credits issued by the district pursuant to the methodology adopted by the ARB. To obtain credits, the permit holder must divert agricultural material from a district's inventory of burn acreage to a qualified agricultural biomass facility.

## ***Environmental Justice***

### **AB 392 (Montañez)**

**Environmental Justice**

**Sponsor: Author**

***Assembly Rules Committee***

This bill would declare the intent of the Legislature to enact a measure relating to environmental justice.

### **AB 1360 (Steinberg)**

**Environmental Quality: Environmental Indicators**

**Sponsor: Cal/EPA**

***Chapter 664, Statutes of 2003***

This bill requires OEHHA, on behalf of Cal/EPA beginning July 1, 2004, to develop and maintain a system of environmental indicators. It requires the Secretary for Environmental Protection to periodically assess the ability of the environmental indicators system to meet the objectives of the system. AB 1360 requires the system to support the development and implementation of the agencywide environmental justice strategy. The system will provide information on the state of the environment in California and guide program planning within Cal/EPA. AB 1360 will state the Legislature's intent that the Secretaries for Environmental Protection and Resources and the Director of the Department of Health Services use the system in the development of budget change proposals for future fiscal years where applicable. The bill requires the budget change proposals to indicate how the proposals affect environmental indicators. This bill also creates an external working group to advise and develop recommendations for OEHHA with respect to the system.

### **SB 983 (Alarcón)**

**Solid Waste: Siting Elements: Environmental Justice**

**Sponsor: Author**

***Assembly Natural Resources Committee***

This bill would extend the deadline from January 1, 2004, until March 1, 2004, on the Cal/EPA report to the Governor and the Legislature on the implementation of the intra-agency environmental justice strategy. This bill also contains a clarifying change to the current statute relating to countywide siting elements.

## ***Fiscal (Budgets, Fees, and Revenues)***

### **AB 296 (Oropeza)**

**State and Local Government**

**Sponsor: Author**

#### ***Chapter 757, Statutes of 2003***

This bill repeals the provisions of Chapter 228, Statutes of 2003 (AB 1756, Assembly Budget Committee) dealing with the operation of Board Member offices.

### **AB 1756 (Budget Committee)**

**State Government**

**Sponsor: Assembly Budget Committee**

#### ***Chapter 228, Statutes of 2003***

This bill made changes to the operation of Board Member offices and prohibited the CIWMB from providing support to efforts related to the use of waste tires as fuel. The provisions of this bill were repealed by Chapter 757, Statutes of 2003 (AB 296, Oropeza).

## ***Hazardous Waste***

### **AB 302 (Chan)**

**Polybrominated Diphenyl Ether**

**Sponsor: Environment California**

#### ***Chapter 205, Statutes of 2003***

This bill prohibits a person from manufacturing, processing, or distributing in commerce a product, or a flame-retardant part of a product, containing more than 0.1% PentaBDE or OctaBDE on and after January 1, 2008.



**AB 501 (Cogdill)****Solid Waste: Grants****Sponsor: Regional Council of Rural Counties*****Assembly Natural Resources Committee***

This bill would specify that the programs to which the CIWMB may make Household Hazardous Waste grants include programs that maintain existing programs in rural cities and counties. This bill would add to the types of programs to which the CIWMB is required to give priority, those programs that continue existing programs serving rural areas, undeserved areas, and small cities. This bill would also require at least 20 percent of the total annual amount of grants made for these programs to be distributed, non-competitively, to rural counties and cities as block grants.

**SB 202 (Romero)****Wood Waste: Preservatives****Sponsor: Communication Workers of America*****Senate Environmental Quality Committee***

This bill would repeal the exemption for wood waste and instead would prohibit any person, on and after January 1, 2005, from using chromated copper arsenate (CCA) or pentachlorophenol (penta) to treat wood products or manufacturing a wood product treated with those substances. The bill would provide, on and after January 1, 2005, that wood waste containing any measurable level of CCA or penta is a hazardous waste for purposes of the hazardous waste control laws. The bill would require any person disposing of such wood waste to dispose of that waste pursuant to the hazardous waste control laws.

**AB 455 (Chu)****Packaging Materials: Regulated Metals****Sponsor: Author*****Chapter 679, Statutes of 2003***

AB 455 enacts the Toxics in Packaging Prevention Act, which, on and after January 1, 2006, bans the sale of any package that includes a specified heavy metal that was intentionally introduced during manufacturing or distribution, and decreases the incidental concentration of these metals over a three-year period.

**AB 1255 (Levine)****Mercury: Report****Sponsor: Californians Against Waste*****Senate Environmental Quality Committee***

This bill would require the DTSC to expand an existing legislative report, which focuses on the success of efforts to remove mercury-containing vehicle light switches, to include additional information.

**AB 1348 (Lowenthal)****Hazardous Waste****Sponsor: DeMenno/Kerdoon*****Chapter 362, Statutes of 2003***

This bill clarifies statutes governing the transport of hazardous waste and the recycling of used oil.

**AB 1367 (Laird)****Waste: Regulation****Sponsor: DTSC*****Senate Inactive File***

This bill would authorize the DTSC to adopt alternative management standards by regulation, for hazardous waste management activities that meet specified criteria. The bill would require the DTSC to make specified findings and analyses, and to make those analyses available to the public when it gives notice that it proposes to adopt those regulations. Another public notice is required before adopting those regulations.

**AB 1691 (Montañez)****Asbestos Waste****Sponsor: Author*****Assembly Environmental Safety and Toxic Materials Committee***

This bill pertains to waste containing asbestos. This bill would specify prohibitions on the disposal of hazardous waste that do not apply to the authorization to dispose of waste containing asbestos. This bill would also make clarifying technical changes.

**AB 1699 (Laird, Chu, Levine, Lieber, and Lowenthal)****Fluorescent Lamps****Sponsor: Author*****Assembly Environmental Safety and Toxic Materials***

This bill would enact the Mercury Lamp Recycling Act and establish a State program administered by the DTSC to recycle mercury fluorescent lamps. The bill would require anyone who purchases a fluorescent lamp from a retail seller to pay a recycling fee of 5 cents for each lamp. Funds would be spent on enforcement and implementation of the Act, as well as for fluorescent lamp recycling, consumer education, grants to local governments for collection and processing, and for incentive payments to fluorescent lamp recyclers. The bill would prohibit any person, after January 1, 2004, from disposing of a fluorescent lamp at a SWF. It would require a fluorescent lamp to be either disposed of at a hazardous waste facility that has been issued a hazardous waste facilities permit by the DTSC or recycled to meet the requirements of the universal waste regulations.

**SB 20 (Sher)****Solid Waste: Hazardous Electronic Waste****Sponsor: Author*****Chapter 526, Statutes of 2003***

This bill enacts the Electronic Waste Recycling Act of 2003 to provide for the convenient recycling of covered electronic devices in California. This bill requires every retailer that sells a device covered by the bill to collect from consumers a Covered Electronic Waste Recycling Fee on each CRT device. This fee would be used to implement the program, including providing payments to recyclers and collectors of covered products. The Act provides oversight and enforcement activities to ensure these wastes are managed correctly to protect public health and safety and the environment.

**SB 202 (Romero)****Wood Waste: Preservatives****Sponsor: Communication Workers of America*****Senate Environmental Quality Committee***

This bill would repeal the exemption for wood waste and instead would prohibit any person, on and after January 1, 2005, from using chromated copper arsenate (CCA) or pentachlorophenol (penta) to treat wood products or manufacturing a wood product treated with those substances. The bill would provide, on and after January 1, 2005, that wood waste containing any measurable level of CCA or penta is a hazardous waste for purposes of the hazardous waste control laws. The bill would require any person disposing of such wood waste to dispose of that waste pursuant to the hazardous waste control laws.

**SB 511 (Figueroa)****Mercury Lamp Recycling****Sponsor: Author*****Senate Appropriations Committee***

This bill would enact the Mercury Lamp Recycling Act of 2004, which would regulate the labeling of mercury-containing fluorescent lamps sold and used in California. It would require all mercury-containing fluorescent lamp manufacturers to submit a plan to the DTSC by June 30, 2004, that establishes a system for the collection, transportation, and recycling of their mercury-containing fluorescent lamps. The plan must include design changes in lamps to reduce future mercury use.

***Miscellaneous*****AB 121 (Simitian)****Large Passenger Vessels: Water Quality****Sponsor: Bluewater Network, Oceana*****Chapter 488, Statutes of 2003***

This bill will prohibit cruise ships from discharging sewage sludge and oily bilgewater into State waters and national marine sanctuaries along the State's coast.

**AB 466 (Steinberg)****Contracting Preferences: Wood Materials and Products****Sponsor: Author*****Senate Governmental Organization Committee***

This bill would prohibit State agencies and school districts from purchasing wood materials or wood products, except paper products, derived from an ancient forest tree, as defined, unless specified requirements are made. The bill would also require State agencies and school districts to state in writing these prohibitions in any request for bids to purchase wood materials or wood products. The bill would require bidders on these contracts to provide a statement that they have complied with these prohibitions, as provided, and require these bidders to submit documentation regarding the products to be provided under the contract. The bill would also prohibit a contractor or vendor that falsifies these statements or documents from conducting any business with the State for five years.

**AB 501 (Cogdill)****Solid Waste: Grants****Sponsor: Regional Council of Rural Counties*****Assembly Natural Resources Committee***

This bill would specify that the programs to which the CIWMB may make Household Hazardous Waste grants include programs that maintain existing programs in rural cities and counties. This bill would add to the types of programs to which the CIWMB is required to give priority, those programs that continue existing programs serving rural areas, undeserved areas, and small cities. This bill would also require at least 20 percent of the total annual amount of grants made for these programs to be distributed, non-competitively, to rural counties and cities as block grants.

**AB 906 (Nakano)****Large Vessels: Water Quality****Sponsor: Author*****Chapter 494, Statutes of 2003***

This bill states Legislative findings and declarations relating to the release of waste, as defined, into the waters of the State and into national marine sanctuaries along the State's coast. The bill prohibits the release of hazardous waste and other waste—defined as

medical waste, dry cleaning chemicals, and photography lab waste—by large passenger vessels into the marine waters of the State or national marine sanctuaries in the marine waters of the State. The bill subjects a person who violates the prohibitions to a specified civil penalty and requires the owner or operator of a large passenger vessel to immediately notify the SWRCB of a release of hazardous waste or other waste. The bill requires the SWRCB to request the appropriate federal agencies to prohibit the release of hazardous waste and other waste by large passenger vessels in all of the waters in the Channel Islands National Marine Sanctuary, Cordell Bank National Marine Sanctuary, Gulf of the Farallones National Marine Sanctuary, and Monterey Bay National Marine Sanctuary. The bill requires SWRCB to request, if necessary, approval of the State's prohibition of the release of hazardous waste and other waste in the national marine sanctuaries in the marine waters of the State.

**AB 1427 (Maddox)**

**Biosolids: Study**

**Sponsor: Orange County Sanitation District**

***Senate Appropriations Committee***

This bill would require Cal/EPA and its BDOs, in consultation with the DFA, DHS, the regulated industry, local jurisdictions, public water system representatives, and other stakeholders to conduct a feasibility study on establishing a statewide policy on biosolids management. The study would include the treatment, disposal, and recycling of biosolids. Cal/EPA would be required to report its findings to the Legislature on or before December 31, 2005. The study would be funded by the Orange County Sanitation District.

**SB 204 (Perata)**

**Solid Waste: Personal Care Products: Recycling**

**Sponsor: Knowaste, Inc.,**

***Senate Environmental Quality Committee***

This bill would state Legislative findings and declarations regarding personal care products (disposable diapers) and would specify that manufacturers of these products are responsible for product stewardship, which includes diversion of these products from landfills.

**SB 774 (Vasconcellos)****Hypodermic Needles and Syringes**

**Sponsor: Drug Policy Alliance Network, AIDS Project Los Angeles, AIDS Healthcare Foundation, California Conference of Local Health Officers, California HIV Advocacy Coalition, California Medical Association, California Nurses Association, California Pharmacists Association, California Retailers Association, San Francisco AIDS Foundation, United Food & Commercial Workers International Union, AFL-CIO, Walgreens**

***Vetoed***

This bill would have permitted a pharmacist to furnish, without a prescription, 30 or fewer hypodermic needles and syringes at any one time to a person 18 years of age or older. In the Governor's veto message, he stated that he is committed to the underlying goal of the bill, which is to reduce the transmission of HIV and hepatitis C among injection drug users. However, he stated that he has signed legislation that already makes hypodermic needles and syringes available through authorized, legally sanctioned syringe exchange programs located throughout California. The Governor stated that this bill significantly departs from the one-for-one exchange of syringes, which is the standard practice in authorized needle exchange programs.

**SB 989 (McPherson)****Waste Management**

**Sponsor: Author**

***Senate Rules Committee***

This bill would make technical, nonsubstantive changes to the California Integrated Waste Management Act of 1989, administered by the CIWMB.

***Plastic*****AB 28 (Jackson)****Public Resources**

**Sponsor: Author**

***Chapter 753, Statutes of 2003***

This bill makes numerous changes to the Department of Conservation's Beverage Container Recycling and Litter Reduction Act (commonly referred to as the "Bottle Bill"), including increasing the California Redemption Value and refund value, increasing the quality glass

incentive payment, paying recyclers a one-time supplemental payment, requiring commingled rates for plastic and glass, creating a grant program for market development of recycled containers, establishing a rebate for manufacturers, and authorizing the transfer of up to \$10 million to the newly created Recycling Infrastructure Loan Guarantee Account.

**AB 1466 (Koretz)**

**Rigid Plastic Packaging Containers**

**Sponsor: Californians Against Waste**

***Assembly Natural Resources Committee***

This bill would define the term “plastic container” for purposes of the existing plastic packaging container law within the IWMA, and would revise the definition of recycling rate to include the proportion, as measured by weight, volume, or number, that a plastic container resin is recycled in a given calendar year.

**SB 23 (Sher)**

**Beverage Containers**

**Sponsor: Author**

***Assembly Appropriations Committee***

This bill would propose numerous changes to the California Beverage Container Recycling and Litter Reduction Act (commonly referred to as the “Bottle Bill”) including increasing the California Redemption Value, creating a quality incentive payment for mixed-cullet glass, basing processing fee offsets on recycling rates, paying recyclers a one-time supplemental payment, requiring commingled rates for plastic glass, creating a grant program for market development of recycled containers, and authorizing a loan to the General Fund from the Beverage Container Recycling Fund. This bill died in Assembly Appropriations Committee, however, the content was moved to AB 28.

**SB 517 (Karnette)**

**Rigid Plastic Packaging Containers**

**Sponsor: Author**

***Senate Environmental Quality Committee***

This bill would add a compliance option for product manufacturers to comply with the requirements of the RPPC program, that is, that the container be made of biodegradable plastic. Biodegradable plastic is defined as a “plastic of which 90 percent will be broken down into simple substances after 180 days in a standard composting environment.”



**SB 645 (Sher)****Plastic Trash Bags****Sponsor: Author*****Assembly Natural Resources Committee***

This bill would require that the CIWMB's annual list of suppliers, manufacturers, or wholesalers who have failed to comply with State minimum requirements for recycled content in plastic trash bags be posted on the CIWMB's Web site.

***Radioactive Waste*****SB 13 (Romero)****Radiation Safety Act of 2003****Sponsor: Committee to Bridge the Gap*****Senate Appropriation Suspense File***

This bill would prohibit the disposal of radioactive waste at a hazardous waste disposal facility that is subject to State hazardous waste control laws.

**SB 201 (Romero)****Radioactive Materials: Transfer of Authority****Sponsor: Author*****Senate Appropriation Suspense File***

This bill would repeal the Radiation Control Law and replace it with the Radioactive Materials Management Act (Act), which, in part, would transfer authority and oversight of radioactive materials from the DHS to the DTSC. This bill would also create the Radioactive Materials Control Fund for purposes of enforcing the Act.

## ***Reuse/Recycled Materials/Market Development***

### **AB 28 (Jackson)**

#### **Public Resources**

**Sponsor: Author**

#### ***Chapter 753, Statutes of 2003***

This bill makes numerous changes to the Department of Conservation's Beverage Container Recycling and Litter Reduction Act (commonly referred to as the Bottle Bill), including increasing the California Redemption Value and refund value, increasing the quality glass incentive payment, paying recyclers a one-time supplemental payment, requiring commingled rates for plastic and glass, creating a grant program for market development of recycled containers, establishing a rebate for manufacturers, and authorizing the transfer of up to \$10 million to the newly created Recycling Infrastructure Loan Guarantee Account.

### **AB 586 (Koretz)**

#### **Litter and Marine Debris: Tobacco-Related Waste**

**Sponsor: Californians Against Waste**

#### ***Assembly Natural Resources Committee***

This bill would enact the Litter and Marine Debris Reduction and Recycling Act. It would require every retail seller who sells or provides a disposable bag or cup in California to pay a litter reduction fee of \$0.02 per bag or cup that contains less than 40 percent postconsumer recycled content. The fund created by the fees would be administered by the CIWMB. Money in the fund must be spent on an activity related to the mitigation of, or prevention of, litter and marine debris. The CIWMB would be authorized to spend 50 percent of the fund; 10 percent of the revenues in the fund would go to a Highway Litter Cleanup Fund created in the Treasury for use by Caltrans; and 10 percent of the revenues in the fund would go to a Coastal and Ocean Trash Abatement Fund created in the Treasury for use by the California Coastal Commission. Ten percent of the fund would be deposited in the State Parks and Recreation Fund, for expenditure by the Department of Parks and Recreation. Fifteen percent of the revenue would be expended to fund a cooperative agreement between the Department of Conservation, the Department of Parks and Recreation, Caltrans, and the Coastal Commission. Five percent of the fund would be authorized for administrative costs. The bill would also add a brief chapter on tobacco-related waste receptacles.

**AB 734 (Montañez)****Large Venue Recycling Programs****Sponsor: Author*****Assembly Natural Resources Committee***

This bill would require each large venue, as defined, to provide at least one multimaterial recycling bin in a public area or to provide for the operation of a recycling center that is certified by the DOC and that is open for a minimum of two hours per day.

***Solid Waste Facilities/Landfills*****AB 240 (Reyes)****Large Solid Waste Facilities: Regulation: Enforcement****Sponsor: Author*****Assembly Natural Resources Committee***

This bill would define "construction and demolition processing facility" as "a SWF that processes waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings, and other structures." This bill would prohibit the IWMB from adopting any regulation that exempts a construction and demolition facility from any of the requirements for solid waste facilities, including any regulations based on the number of tons of solid waste per day accepted by the facility, and would specify that the owner or operator of a facility would be liable for all costs associated with permit violations or any "catastrophic emergency" caused by facility operations.

**AB 1140 (Cox)****Public Works: Refuse Hauling****Sponsor: Author*****Assembly Labor & Employment Committee***

This bill would repeal the provision of California law defining "public works" to include the hauling of refuse from a public works site to an outside disposal facility with respect to contracts involving any State agency, including the California State University, the University of California, or any political subdivision of the State.

**AB 1174 (Leslie)****Solid Waste: Sacramento Regional County Solid Waste Authority****Sponsor: Author*****Assembly Natural Resources Committee***

This bill would authorize the SRCSWA to expend the revenue derived from the fee imposed upon a commercial solid waste hauler and collected by the authority only to oversee, manage, and enforce the authority's nonexclusive commercial franchise system and to offset those reasonable and necessary regional costs, as defined, that are incurred by the authority. The bill would require the authority, by March 1, 2004, and on or before March 1 of each year thereafter, to prepare and distribute a detailed report itemizing how fees were expended during the previous calendar year, and to submit a proposed budget. The bill would require the authority, by March 1, 2004, and at least once every two years thereafter, to arrange for an independent audit of all costs supported by fee revenues. The bill would authorize an aggrieved party to file an action if the authority expends fee revenues for a purpose not authorized by the SRCSWA Act or if fee revenues are generated or used in violation of any other applicable requirement.

**AB 1497 (Montañez)****Solid Waste Facilities Permits****Sponsor: Author*****Chapter 823, Statutes of 2003***

This bill requires applicants for SWFPs to submit to an LEA, with the closure and postclosure plan, a Labor Transition Plan (Plan) and certification that the Plan will be implemented. The bill requires LEAs to submit a proposed determination regarding whether a change to a SWF will be approved to the CIWMB for comment, and to hold at least one public hearing on the proposed determination. The bill also requires an LEA to submit an appeal of its determination to the CIWMB for comment, and to provide public notice for the appeal. The CIWMB is required to adopt regulations that define the term "significant change in the design or operation of the SWF that is not authorized by the existing permit" to the extent resources are available. Finally, this bill removes the annual \$15,000 cap on civil penalties that an LEA may impose for failure to comply with an enforcement or cease and desist order.

**SB 204 (Perata)****Solid Waste: Personal Care Products: Recycling****Sponsor: Knowaste, Inc.,*****Senate Environmental Quality Committee***

This bill would state Legislative findings and declarations regarding personal care products (disposable diapers) and would specify that manufacturers of these products are responsible for product stewardship, which includes diversion of these products from landfills.

**SB 287 (Sher)****Solid Waste****Sponsor: Author*****Senate Rules Committee***

This bill would revise a statement of legislative intent regarding the California Integrated Waste Management Act of 1989.

**SB 531 (Romero)****Solid Waste Disposal: Integrated Waste Management****Sponsor: Author*****Senate Environmental Quality Committee***

This bill would allow a city, county, city and county, or certified unified program agency to inspect solid waste landfills within its jurisdiction without notice.

**SB 537 (Romero)****Solid Waste: Management: Los Angeles County Sanitation Districts****Sponsor: City of Industry*****Senate Rules Committee***

This bill would require the Los Angeles County Sanitation District to submit a report to the Legislature by July 1, 2004, on the status of solid waste planning in the jurisdiction, focusing on the year 2014. The bulk of the study would examine material recovery facilities and waste-by-rail transport.

**SB 646 (Sher)****Solid Waste Report****Sponsor: Author*****Assembly Natural Resources Committee***

This bill would require that the report submitted by local jurisdictions annually to the CIWMB include a statement as to whether the jurisdiction has complied with the requirement to adopt an ordinance relating to adequate areas for collecting and loading recyclable materials in development projects. The report must include a copy of that ordinance.

**SB 1078 (Chesbro)****Disposal Fees: Solid Waste Collection Vehicles: Emissions****Sponsor: Author*****Assembly Natural Resources Committee***

This bill would require the operator of a solid waste collection vehicle, until December 31, 2010, to pay a fee of 50 cents for each ton of solid waste submitted for disposal by that operator at a solid waste disposal facility. The bill would require the operator of the disposal facility to collect the fee and to submit the fee to the SBE in a manner consistent with the fee submitted by the facility operator. The bill would require the SBE to deposit these fees in the Solid Waste Vehicle Clean Air Account for the purpose of funding compliance with the best available control technology requirements approved by the ARB to reduce diesel particulate matter emissions from solid waste collection vehicles.

***State Agencies in General*****AB 1027 (Bermudez)****State Employees: Salary Ranges: Professional Scientists****Sponsor: California Association of Professional Scientists*****Vetoed***

This bill would have required the DPA and the California Association of Professional Scientists to jointly survey scientific classifications in various California public agencies. In the Governor's veto message he states that this bill duplicates existing surveys conducted by the DPA, and the salary survey required by this bill conflicts with Chapter 1044, Statutes of 2002 (AB 2477, Steinberg) which he signed last year.

## ***State Agencies, Procurement/Waste Management***

### **AB 466 (Steinberg)**

#### **Contracting Preferences: Wood Materials and Products**

**Sponsor: Author**

#### ***Senate Governmental Organization Committee***

This bill would prohibit State agencies and school districts from purchasing wood materials or wood products, except paper products, derived from an ancient forest tree, as defined, unless specified requirements are met. The bill would also require State agencies and school districts to state in writing these prohibitions in any request for bids to purchase wood materials or wood products. The bill would require bidders on these contracts to provide a statement that they have complied with these prohibitions, as provided, and require these bidders to submit documentation regarding the products to be provided under the contract. The bill also prohibits a contractor or vendor that falsifies these statements or documents from conducting any business with the State for five years.

## ***Tires***

### **AB 844 (Nation)**

#### **Tire Efficiency Program**

**Sponsor: National Resources Defense Council, and Union of Concerned Scientists**

#### ***Chapter 645, Statutes of 2003***

This bill will require the CEC, in consultation with the CIWMB, to adopt by July 1, 2007, and implement by July 1, 2008, a replacement tire efficiency program of statewide applicability for replacement tires for passenger cars and light trucks. This program must ensure that replacement tires sold in the State are at least as energy efficient, on average, as the tires sold as original equipment on these vehicles in the State. The bill would require the program to be operative no later than July 1, 2007.

### **AB 1756 (Budget Committee)**

#### **State Government**

**Sponsor: Assembly Budget Committee**

#### ***Chapter 228, Statutes of 2003***

This bill made changes to the operation of Board Member offices and prohibited the CIWMB from providing support to efforts related to the use of waste tires as fuel. The provisions of this bill were repealed by Chapter 757, Statutes of 2003 (AB 296, Oropeza).

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